

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

PAMELA G. CAPPETTA,

Plaintiff,

v.

Civil Action No. 3:08CV288

GC SERVICES LIMITED PARTNERSHIP,

Defendant.

ORDER

Pending before the Court is Defendant's Motion to Dismiss Counts II Through V of Plaintiff's First Amended Complaint. (Docket No. 39.) The Motion was filed on September 30, 2008. Plaintiff has not responded, and neither party has moved for a hearing.

Local Rule 7(E) states in pertinent part, "Unless otherwise ordered, a motion shall be deemed withdrawn if the movant does not set it for hearing (or arrange to submit it without a hearing) within thirty (30) days after the date on which the motion is filed." Therefore, pursuant to Local Rule 7(E), Defendant's Motion to Dismiss is DEEMED WITHDRAWN.

And it is so ORDERED.

/s/ MHL
M. Hannah Lauck

United States Magistrate Judge

Richmond, Virginia

Date: 11/12/08